

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**RUSSELL GLENN PIERCE,  
DAVID WILLIAM PEER,  
JOHN DOE # 3,  
JOHN DOE # 4,  
JOHN DOE # 5,  
JOHN DOE # 6,  
JOSHUA WELCH, and  
THOMAS SPENCER,**

**Defendants.**

**8:13CR106**

**ORDER**

This matter is before the court on the motions to extend time to file pretrial motions by defendants Russell Glenn Pierce (Filing No. 94) and Thomas Spencer (Filing No. 103). The court held a telephone conference with all counsel on September 9, 2013. Participating in the conference were the following:

For the government:	Michael P. Norris, AUSA Keith A. Becker, Attorney DOJ Sarah Chang, Attorney DOJ
For Defendant Pierce:	Joshua D. Rydell Justin D. Eichmann
For Defendant Peer:	Glenn A. Shapiro
For Defendant Welch:	Wesley S. Dodge
For Defendant Spencer:	James J. Regan

Following a discussion with counsel on the state of discovery and expert witness reports, the schedule for progression of the case will be amended as set forth below:

**IT IS ORDERED:**

The motions (Filing No. 94 and Filing No. 103) are granted.

**IT IS FURTHER ORDERED:**

1. Any motion to sever shall be filed **on or before September 18, 2013**. The government's omnibus response shall be filed **on or before September 27, 2013**.

2. Any other pretrial motions shall be filed **on or before December 9, 2013**. The government's omnibus response shall be filed **on or before December 20, 2013**.

3. **Speedy Trial Act.** Time under the Speedy Trial Act will be excluded from today until December 9, 2013. The ends of justice will be served by such exclusion and outweigh the best interest of the public and the defendants in a speedy trial. The cases are so unusual and complex due to the number of related defendants and charges, the nature of the prosecution, and the existence of novel questions of law that absent such an exclusion the ends of justice would not be served as to provide adequate preparation for pretrial proceedings and the trial itself. See: 18 U.S.C. § 3161(7)(A) and (B)(ii).

Dated this 9th day of September, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge